

COMMONWEALTH OF VIRGINIA



SHENANDOAH CIRCUIT COURT  
Civil Division  
112 S. MAIN STREET  
WOODSTOCK VA 22664-0406  
(540) 459-6150

Summons

To: SHENANDOAH CO PUBLIC SCHOOLS  
600 NORTH MAIN STREET  
SUITE 200  
WOODSTOCK VA 22664

Case No. 171CL16000352-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Tuesday, November 15, 2016

Clerk of Court: SARONA S IRVIN

by   
(CLERK/DEPUTY CLERK)

Instructions: PLEASE SERVE ATTACHED CIVIL COMPLAINT

Hearing Official:

Attorney's name:

IN THE CIRCUIT COURT OF SHEANADOAH COUNTY  
WOODSTOCK, VIRGINIA, UNITED STATES OF AMERICA

Gabriel Khalil Hussein Deen (Plaintiff)

VS

Shenandoah County Public Schools (Defendants)

Case Number CL 16-352

Dr. Mark A. Johnston-School Superintendent, Shenandoah County Public Schools.

CIVIL COMPLAINT

PARTY TO THIS CIVIL ACTION

L

- A. Plaintiff: Gabriel Khalil Hussein Deen, 322 East Queen Street, Strasburg, Virginia 22657.
- B. This case arises because of violation of the civil or equal rights, privileges, or immunities. Accorded to citizens of or persons within the jurisdiction of the United States (28 U.S. C. 1333)
- C. Other grounds in violation of Title VII of the Civil Rights Act of 1964, as amended and the Age discrimination in Employment Act of 1967, as amended.

II.

STATEMENT OF CLAIM

On November 1, 2013, I was hired as a Substitute Teacher but put on the radar to be gotten rid of any way possible. Throughout my employment, I was subjected to harassment and unequal terms and conditions of employment. I was always screened more closely, including photocopying my ID bearing my name (Gabriel Khalil Hussein Deen) than White Substitute Teachers entering the schools, further screening through the Lobby Guard machine, I was written up at every school I was assigned for offenses I did not commit or not made aware of at time of the assignment. I was not given the opportunity to defend myself or for school administrators to hear my side of the story. I received a letter that schools in the system had deleted me from their substitute list because of "concerns they had about me," even though I had never been assigned to their schools. In response to one of my complaints about being falsely accused of not following a lesson plan, Dr. Mark Johnston, Head of Human Resources, currently the Superintendent of Shenandoah County Public Schools urged me to delete one of the schools from my list and suggested I apply for a nearby County public school system with inferior educational standards. I was retaliated against for writing teachers (White) who did not leave lesson plans/whose plans were inadequate or whose students were out of control in the classroom. Dr. Johnston encouraged me to continue writing up and providing feedback of my class experiences at these schools; unknown to me, he was setting me up for teachers to write negative reports about me and submit these reports to administration. I last worked in May 2015.

(2)

I believe that I was subjected to the above described discrimination because of my race and sex, Black/male, national origin, West Africa (Sierra Leone), religion, Muslim and age 69, in violation of Title VII of the Civil Rights Act of 1964, as amended and the Age discrimination in Employment Act of 1967, as amended. I believe I complained about the discriminatory manner in which I was being treated and I was retaliated against because I wrote up white teachers who were not doing their job. I was the only Black/male Substitute Teacher in the school system.

I would like to be compensated for lost time and wages from work, to be compensated for pain, suffering and humiliation, for lost wages not comparable to the wages I was receiving when I was in the employment of Shenandoah County Public Schools, and to give me back my position as a Substitute Teacher.

#### RELIEF

I am claiming that I'd be compensated the sum of seventy-five thousand dollars \$75,000.00) for damages, and are entitled to recover monetary damages because of the following reasons: (1) I was set up by Dr. Mark Johnston for retaliation, (2) I was not given the opportunity to defend myself for school administrators to hear my side of the story, (3) I received a letter that schools in the system had deleted me from their substitute list because of "concerns they had about me" even though those concerns were not revealed to me, (4) I was retaliated against for writing up teachers (white) who did not leave lesson plans and whose students were out of control in the classroom, (5) I was always screened more closely, including photocopying my ID bearing my name (Gabriel Khalil Hussein Deen, (6) I was screened by the Lobby Guard machine that White Substitutes were not subjected to, (7) I was subjected to these acts of discrimination because of my race and sex, Black/male, national origin, West Africa (Sierra Leone), religion, Muslim and age 69, (8) that my name was removed from the substitute list and I did not receive assignments because I complained about the discriminatory manner in which I was being treated since I was the only Black/male Substitute Teacher in the school system, and (9) because I bear a Muslim name which may be a threat to them.

B. Defendant: Shenandoah County Public Schools, 600 North Main Street, Suite 200, Woodstock, Virginia 22664.

Additional Defendant: Dr. Mark A. Johnston, School Superintendent, Shenandoah County Public Schools, 600 North Main Street, Suite 200, Woodstock, Virginia 22664.

#### III. Jurisdiction:

1. Plaintiff is a naturalized citizen of the USA, and a resident of Virginia.

(3)

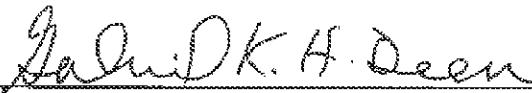
2. The first-named defendant herein is a Public Institution incorporated under the laws of the State of Virginia, and having its principal place of business/operation in Virginia.

(3). The second-named defendant is a citizen of the USA, and resident of the state of Virginia. (4) Plaintiff states that the matter in controversy exceeds, exclusive of interest and costs of seventy-five thousand dollars (\$75,000.00).

VI: I also claim that this civil action has been presented through the EEOC which issued me the NOTICE OF SUIT RIGHTS to sue letter (Case No: 438-2015-00875) attached herein.

VII: Neither this case, nor a substantially equivalent complaint, previously has been filed in this court, and therefore this case may be opened as an original proceeding.

Signature of Plaintiff



Printed name of Plaintiff: Gabriel Khalil Hussein Deen

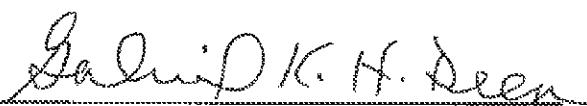
Address: 322 East Queen Street, Strasburg, Virginia 22657.

Telephone Number: 540-335-1936

#### DESIGNATION OF PLACE OF TRIAL

Plaintiff designates Woodstock, Virginia as the location for the trial.

Signature of Plaintiff:



RECEIVED & FILED  
MAY 15 2016  
CLERK'S OFFICE  
SARONA S. IRVINE, CLERK  
U.S. DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
KNOXVILLE DIVISION

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: Gabriel K. Deen  
763 Colley Block Road Apt. 2  
Strasburg, VA 22657

From: Richmond Local Office  
400 North 8th Street  
Suite 350  
Richmond, VA 23219

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR 51601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

438-2015-00875

Elluz C. Athonvarangkul,  
Investigator

(804) 771-2205

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

Other (briefly state)

- NOTICE OF SUIT RIGHTS -  
(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

for Elluz C. Athonvarangkul  
On behalf of the Commission

AUG 18 2016

Enclosures(s)

Daron L. Calhoun,  
Director

By	De	Rec'd
8/18/2016	8/18/2016	RECEIVED & FILED
SHERIFF, SHENANDOAH COUNTY, VA	SHERIFF, SHENANDOAH COUNTY, VA	
SHENANDOAH COUNTY, VA	SHENANDOAH COUNTY, VA	
LINDA HODGES, SUPERVISOR OF HUMAN RESOURCES, SHENANDOAH COUNTY PUBLIC SCHOOLS, 600 N. MAIN STREET, SUITE 200, WOODSTOCK, VA 22664	LINDA HODGES, SUPERVISOR OF HUMAN RESOURCES, SHENANDOAH COUNTY PUBLIC SCHOOLS, 600 N. MAIN STREET, SUITE 200, WOODSTOCK, VA 22664	